

## **TOWN OF EMMITSBURG**

300A South Seton Avenue  
Emmitsburg, Maryland 21727  
301-600-6300 fax: 301-600-6313

### **Mayor**

Donald N. Briggs

### **Town Manager**

David Haller

### **Town Clerk**

Cathy Willets

### **Board of Commissioners**

Timothy O'Donnell, President

Clifford Sweeney, Vice President

Glenn Blanchard, Treasurer

Jennifer Mellor

Joseph Ritz III

## **TOWN MEETING AGENDA MARCH 7, 2016**

### **I) CALL MEETING TO ORDER (7:30PM)**

#### **A. PLEDGE OF ALLEGIANCE TO THE FLAG**

#### **B. NEXT MEETINGS:**

*Town Meeting April 4 @ 7:30pm*

*Citizen's Advisory Committee April 19 @ 7:30pm*

*Planning Commission April 25 @ 7:30pm*

#### **C. APPROVE MINUTES FROM: February 1, 2016**

#### **D. POLICE REPORT**

#### **E. TOWN MANAGER'S REPORT**

#### **F. TOWN PLANNER'S REPORT**

#### **G. COMMISSIONER COMMENTS**

#### **H. MAYOR COMMENTS**

#### **I. PUBLIC COMMENTS**

#### **J. ADMINISTRATIVE BUSINESS (see attached)**

#### **K. CONSENT AGENDA**

*For more information go to [www.emmitsburgmd.gov](http://www.emmitsburgmd.gov)*

**L. REPORTS**

Treasurer's  
Planning Commission

**II) AGENDA ITEMS:**

1. New website presentation
2. Pool contract
3. Potential Citizen's Advisory Committee recommendation related to nuisance ordinance

**III) SET AGENDA ITEMS FOR APRIL 4, 2016 TOWN MEETING**

**IV) SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

## **ITEM C**

### **MEETING MINUTES:**

*February 1, 2016*

**MINUTES  
TOWN MEETING  
February 1, 2016  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners Clifford Sweeney, Joseph Ritz III, Jennifer Mellor, Glenn Blanchard and Tim O'Donnell, President.

Staff present were Cathy Willets, Town Clerk; and Dave Haller, Town Manager.

**Absent:**

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the February 1, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

**Announcement of a Closed Session**

President O'Donnell announced the need for a closed executive session following adjournment of the March 7, 2016 meeting as permitted by the *Annotated Code of Maryland, State Government Article: Section 10-508 (a) Closed Meetings* to discuss a personnel matter.

**Approval of Minutes**

The Minutes of the January 20, 2016 Town Meeting were approved as presented.

Motion by Commissioner Sweeney Second by Commissioner Mellor

Vote 5 to 0 passed

**Commissioner Comments**

Commissioner(s) cited attendances, recognitions and announcements. Commissioner Ritz III, Sweeney, O'Donnell, and Blanchard thanked Mr. Click and his crew for all his efforts for the snow removal. Commissioner Ritz III noted that the contractor responsible for North Gate did not do as nice a job as Town staff and he received numerous complaints. Commissioner Sweeney thanked Mr. Click for housing town staff during the snow storm. Commissioner Blanchard and Mayor Briggs attended the Ambulance Company banquet. Commissioner Blanchard thanked Councilman Donald for fighting to keep the snow removal budget at \$1.8 million. Commissioner O'Donnell noted in his travels during the storm many volunteers helping out their neighbors.

**Mayor's Comments**

Mayor Briggs noted that the Town was way ahead of the storm and staff did a terrific job during the snow storm. He attended the 2016 Mount Athletic Hall of Fame luncheon. The South Seton Ave. sidewalk project is scheduled for March/April 2016. Three separate programs going on in Town: bridge, square, and sidewalks. There will be a website presentation at the March meeting. Staff is hoping to have texting/email alerts to anyone who signs up. There will be a future presentation of GIS for total town. The Doughboy should be back in place no later than mid-March. There is an upcoming Solid Waste Forum to address that the landfill will be full by 2023. County Executive Gardner put a task force together which Mayor Briggs serves on. Staff is working on getting RFP for salvation of timber at the Scott Road Farm. E. Lincoln sidewalk - right of way agreement Seton to Chesapeake as well extend all the way to Creamery Rd. Staff is waiting on MOU from State. There will be a pool contract at the March 2016 meeting for your approval. Mr. Muir will be meeting with County and MSM about trail. The Mayor has a dog park presentation at the upcoming Parks and Rec meeting on February 16. The square project/sidewalk will now

include 140 from Timbermill to North Ave. The sidewalk scheduled to be bid out September 2016 with construction to begin early 2017. Public hearing will be forthcoming in March. Bridge construction will begin in fall 2016 and is an 18 month project, however cannot work during trout season. FEMA - new water line turned on.

**Administrative Business** - Commissioner O'Donnell approached by the Moore organization. They are interested in applying for a trail grant in 2017. They are a non-profit to assist in continuing the trail program on Town's behalf. Consensus from board.

**Consent Agenda** - Consideration of Wendy Walsh to the Citizen's Advisory Committee  
Motion to appoint Ms. Walsh to CAC made by Commissioner Mellor  
Second by Commissioner Blanchard  
Vote 5 to 0 passed

## **Reports:**

**Treasurer's Report** – Commissioner Blanchard reported on cash activity through January 27, 2016

**Planning Commission Report** - Commissioner Sweeney reported that there was a re-organization of the Board: Patrick Boyle, Chairman; Keith Suerdieck, Vice Chairman; and John Howard, Secretary. On the agenda, there were two ordinances regarding set-backs and four ordinances regarding change from OS zone to Institutional. The ordinances are on the agenda.

## **II. Agenda Items**

### **Audit report related to Town finances**

Michelle Mills reported on the financial statement audit as well as the single audit for FY 2015. The Town received an unmodified opinion on the financial statement audit. Mrs. Mills stated this is "good." She noted financial highlights. The statement of net position - total assets just over \$42 million and 86% business type activities (water & sewer). The total liabilities just over \$8.9 million (government wide). The total net position was @ \$33 million which was a 12% increase from 2014. The Town has several funds which it tracks activities. The total fund balance at the end of FY 2015 was over \$1.1 million. The change in net position of governmental activities is \$118,127. The single audit - no material weakness in internal controls over financial reporting were identified. Commissioner O'Donnell asked if staff was forthcoming during the process and Mrs. Mills stated yes and there were no issues. Commissioner Ritz III said he needed more time to review the audit report and requested emailing Mr. Tabler or Mrs. Mills. She advised she could return if necessary.

### **Presentation related to possibility of additional plaque at Doughboy site**

Public comment received by *Fred Wood (22 Pleasant Acre Dr. Thurmont)* representing American Legion Post 121 of Emmitsburg. The American Legion has concerns about the new plaque that has been talked about for the Doughboy statue. There has been worry about lack of communication between the Town and the Veterans groups. Mayor Briggs came to their last meeting where he explained some of the bureaucratic things the Town has to go through. Commissioner O'Donnell advised that the plaque is simply being considered but nothing decided. The statue is almost 90 years old and is a historic part of Emmitsburg. They are hoping for better communication in regards to the need for a second plaque or a better explanation of the current plaque which was put on in 1927. The society was different in 1927. It was a segregated society but yet these soldiers still felt this country was worth fighting for and that is what the plaque proves. The plaque shows that

there were people of color who fought for our Country which shows their courage and character. He stated that the American Legion and VFW would like to be a part of anything moving forward.

Commissioner O'Donnell noted that this is only a discussion item. The Board will take comments from both Mr. Wood as well as Mr. Ling.

Comment was also received from Gene Ling (*37 Park Drive Emmitsburg*) – a lifelong resident of Emmitsburg. He is representing the VFW Post 6658. He said they were under the impression that it has already been decided that the statue and plaque would be replaced in its original state. Why do we need a second plaque? The cultural and history should remain as they are. He said the current plaque shows a badge of courage - men of color that fought in WWI. He read in a paper that the Board was thinking of second plaque. The feel there is no need for a second plaque. Commissioner O'Donnell asked which paper he read about the second plaque - Mr. Ling stated he could not remember which paper he read it in the Emmitsburg, Thurmont or Frederick News Post. Commissioner O'Donnell clarified it was openly discussed and that no decision was ever made. There have been multiple views on the Board itself.

Commissioner Blanchard state he is a veteran of the armed forces, 15 year member of the American Legion and grandson of WWI veteran. He has a very strong connection to the statue. With 2017, it is the 100<sup>th</sup> anniversary of America's entry into WWI. Commissioner Blanchard presented an act by Congress in 2013 establishing a commission to commemorate the centennial of WWI. He stated one item of mention was the effort to bring attention to the thousands of memorials in communities all over the county that honor Americans who served in the war. Commissioner Blanchard suggested a second plaque dedicating the statue in 2016 and simply stating in a positive manner that the separation of the names by race in no way diminishes their service, bravery or dedication to the USA. He suggested that maybe additional signage could be placed at either the Doughboy site or the Community Center explaining what Doughboy statue is, what the meaning is, what is the history, etc. A copy of Commissioner Blanchard's presentation is entered as part of the agenda packet for the February 1, 2016 meeting. Commissioner Sweeney heard from both the American Legion and AMVETs and they did not want a second plaque at the Doughboy site. Commissioner Sweeney said he had no problem with additional information/signage at Community Center. Commissioner Mellor suggested putting information or panels at the kiosk at the square Commissioner Ritz III thanked everyone's comments suggested a public hearing in future. Commissioner Blanchard hoped all posts would get involved with laying a wreath once the Doughboy statue is put back up. Commissioner O'Donnell thanked Commissioner Blanchard for his effort and his viable thought on this issue. An interpretive sign as suggested by Commissioner Blanchard - public hearing.

**Public Hearing for ordinances related to 16-01 & 16-02 and 16-03 through 16-06 related to modifying Open Space to Institutional**

Commissioner O'Donnell announced moving to public hearing for ordinances related to 16-01 & 16-02 and 16-03 through 16-06. Ms. Cipperly stated that ordinances 16-01 and 16-02 were amended as a result of a citizen request related to set-backs. The ordinances were sent to the planning commission for review. Ms. Cipperly highlighted a few recommendations for 16-01. The planning commission added that the accessory structures can only be placed in rear yard not front. PC stated must have at least three feet from the side lot lines only when the lots are 30 feet or less. Commissioner Ritz III asked about the letter from Ms. Orndorff. Does this address her concerns about placing a shed in rear lot?

Ms. Cipperly advised, "Yes." He also asked if Mr. French would now be in compliance with these new changes. Ms. Cipperly explained some of his buildings were over his property line. Ms. Cipperly reviewed the recommendations for 16-02. Ms. Cipperly advised 16-02 is the same as 16-01 but addresses the village zone while 16-01 addressed the B1 residential zone.

Motion by Commissioner Blanchard to accept Ordinances 16-01 and 16-02 as written  
Second by Commissioner Sweeney  
Vote 5 to 0 passed

Ms. Cipperly reviewed ordinances 16-03 through 16-06 which address modifying Open Space to Institutional. The change was already made in the 2015 Comp Plan. The planning commission reviewed these ordinances as well and recommended no changes to 16-03; 16-04 remove recreation areas and parks; 16-05 delete institutional from within definition and remove recreation areas and parks; and 16-06 insert educational, delete institutional and add schools. Commissioner Mellor asked on Ord. 16-06 17.28.020 letter B if parks, playgrounds, golf courses, etc should be included. Consensus of the Board and Ms. Cipperly agreed that everything in letter B should be removed except cemeteries.

**Motion:** - To accept ordinance 16-03  
Motion by Commissioner Sweeney second by Commissioner Blanchard  
**Vote: 5 to 0 passed**

**Motion:** - To accept ordinance 16-04  
Motion by Commissioner Ritz III second by Commissioner Blanchard  
**Vote: 5 to 0 passed**

**Motion:** - To accept ordinance 16-05  
Motion by Commissioner Blanchard second by Commissioner Mellor  
**Vote: 5 to 0 passed**

**Motion:** - To accept ordinance 16-06 as amended  
Motion by Commissioner Blanchard second by Commissioner Ritz III  
**Vote: 5 to 0 passed**

### **Public discussion of Pembroke Woods maintenance report**

Commissioner O'Donnell stated requested Kendall Moore, 4030 Carrick Ct., president HOA, brought some maintenance issues to the Town hydrants, lighting, streets, etc. Mr. Moore stated that it has been 10-15 years since roads were put in. They have deteriorated. Mayor Briggs invited Mr. Muir to speak on the items that have been addressed. There are maintenance issues throughout Town that need to be addressed as well. Jim Click maintains a list of all maintenance that is needed. There is work currently being done in North Gate. The Town will add three children at play signs at Stonehurst, Carrick and Pembroke Courts. All the street lights in Emmitsburg are 40 watt LED except downtown which are 30 watt. There is no plan to upgrade the wattage. The Town would require a permit to update the community entrance signage and an additional sign would be paid for by the HOA. At this time, the Town will not allow additional signage to be attached to their street lights. Mr. Muir advised this is part of the code. Commissioner Mellor asked if service groups could paint the fire hydrants. Commissioner Ritz III also asked about Brookfield's hydrants and Mr. Click said they are on the list as well. Mr. Click said that is not a problem. Exhibit attached.

**Set Agenda Items for March 7, 2016 Town Meeting**

1. New website presentation
2. Pool contract
3. GIS presentation
4. Potential Citizen Advisory Committee recommendations related to nuisance ordinance

**IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

**IV Adjournment**

With no further business, the February 1, 2016 Town Meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Cathy Willets, Town Clerk

Approved:



## **ITEM E**

### **TOWN MANAGERS REPORT**

**Town Manager's Report**  
**FEBRUARY 2016**  
**Prepared by David Haller**

**Streets:**

- Staff repaired a few streetlights.
- Staff installed 'slow children at play' signs
- Staff cleaned and salted sidewalks
- Staff hauled snow out of parking spaces

**Water:**

- Rainbow Lake is now at the spillway level.
- The roughing filters are being backwashed one time a day and the DE filters are being done once per week.
- Our wells are now on average 7.0' below their May 2011 levels.
- Water production and consumption. We produced and purchased an average of 313,731 GPD. We consumed an average of 281,077 GPD.

The difference is "Backwash Water" ... (10.4%). We purchased 363,200 gallons of water from MSM this month.

- 42.7% of this water came from wells.
- 4.0% of this water came from Mt. St. Mary's.
- 53.3% of this water came from Rainbow Lake.

**Wastewater:**

- The overland flow treatment system is shut down.
- We received about 5.2" of precipitation this month (the average is 3.0").
  - We have a precipitation **SURPLUS** of 13.0" over the last six months. The average precipitation for the period from Sept 1 thru February 29 is 21.5". We have received 34.5" for that period.
- Wastewater Treatment:
  - We treated an average of 990,000 GPD (consumed 281,077 GPD) which means that 71.6% of the wastewater treated this month was "wild water".
  - We had no spills of untreated sewerage in the month of September.
  - We exceeded the plant's design capacity on fourteen days in the month of February.

02/01 961,000 GPD	02/02 929,000 GPD	02/03 3,840,000 GPD
02/04 2,003,000 GPD	02/05 1,051,000 GPD	02/06 763,000 GPD
02/16 2,040,000 GPD	02/17 1,137,000 GPD	02/18 845,000 GPD
02/21 905,000 GPD	02/23 954,000 GPD	02/24 2,663,000 GPD
02/25 1,321,000 GPD	02/26 777,000 GPD	

**Trash:** Trash pickup will remain Mondays for the remainder of the month of March.

**Parks:**

- Staff performed monthly checks in all parks.

**I Recently Attended the Following Meetings:**

- 02/23 Attended staff meeting
- 02/29 Met with Mayor and Town Attorney

## **PARKING ENFORCEMENT REPORT**

**Date: February 2016**

**Overtime Parking: 97**

**Restricted Parking Zone: 5**

**24 Hour Consecutive Parking:**

**Parked in Crosswalk:**

**Parked on Sidewalk:**

**Parked Blocking Road:**

**Parked by Fire Hydrant:**

**Parked on Highway:**

**Failure to Park between Lines:**

**Other Violation:**

**Left Side Parking: 1**

**Street Sweeping:**

**Meter Money: \$1,129.88**

**Parking Permits:**

**Meter Bag Rental: \$6.00**

**Parking Ticket Money: \$ 1320.00**

**Funerals: 1**

**Total: \$ 2,455.88**

**Zoning/Code Enforcement Report**

**February 2016**

1. Attended Town Council meeting to respond to Pembroke issues.
2. Attended Preliminary Investigation meeting regarding the Town Square and Main Street project. Attended a subsequent field walk of the project with SHA and Jim Click. Continue to coordinate with SHA. Sent letter to SHA regarding the Town's request for street trees, waterline, etc. involved in Square project. Begin to coordinate public presentation meeting.
3. Notified County about plowing issues at Tract Road and Irishtown Rd.
4. Power Star unit is in transit and should be on site next month.
5. Meet with Town Manager regarding Scott Road barn and roof reconstruction. Sent out an RFP for salvage demolition and one for roof for advertisement.
6. Pulled and went over Mother Seton utility plans with Dan Fissel.
7. Went over pool contract comments from Town staff and attorney with RSV pools. Received revised contract and sent it to the attorney for approval. Prepared a summary of it for the Town meeting.
8. Met with Mayor and Town staff regarding project list updates.
9. Continue to work on updating PE and solar info. Conference call with attorney.
10. Put together a dog park packet for Parks and Rec committee. Went to scheduled meeting but it was cancelled.
11. Got in contact with the SHA PM for the park and ride. Received draft plan.
12. Still working with PE about adding Ambulance Company to solar waterfall.
13. Received MOU for Emmitsburg Road. Met with the Mayor, Mount and County regarding projects future steps.
14. Talked to MD DHCD about possible exhibit of housing info at Heritage Days.
15. Attended GIS training on contractor site. Requested and received survey data for MD 140 from the SHA for a GIS baseline.
16. Provide environmental and project info for website update.
17. Prepared Text Amendment for accessory structures in Institutional Zone.
18. Check on status of MOU East Lincoln sidewalk.
19. Attended meeting of the Solid Waste Advisory committee in Thurmont.
20. Tour town for Code Enforcement.

Zoning permits and/or zoning letters issued

Date	Address	Type	Fee
02-11-16	304 E Main	U&O; sign	\$70
02-22-16	434 E Main	Porch roof	\$35
02-23-16	209 W Main	Int. reno	\$39
02-23-16	29 W Lincoln	Int. reno	\$99

## **ITEM F**

### **TOWN PLANNERS REPORT**

## **Planner's Report**

**February 2016**

Susan H. Cipperly, Town Planner

Meetings attended at town:

February 1 - Town Meeting

1. 2015 Comprehensive Plan
  - a. Provided CD copy of final plan to Maryland Dept. of Planning
2. Community Legacy Program
  - ❖ Continued coordination with DHCD regarding reimbursement requests, and reports.
    - Sent reminder letters to currently approved property owners to complete their projects ASAP when the weather permits it, so the town can meet its obligation to spend 50% of the FY2015 funding by June 2016.
    - Provided application forms and info upon request.
    - CL program file maintenance.
    - Created notices regarding due dates for next application rounds.
3. Geographic Information System (GIS)
  - a. Traveled to ALWI office for GIS training from one of their staff members.
  - b. Undertook online GIS training via ESRI site (software provider). Will be continuing effort.
  - c. Created basic maps needed for town projects.
4. Supervised Code Enforcement and Zoning activity.
5. Presented proposed ordinance amendments 16-01 through 16-06 to the Town Board on February 1, with the Planning Commission recommendations. All ordinances were passed.
6. Provided written and photographic materials for the new website which is underway.
7. Organizing computer and paper files.
8. Researched potential grant sources for lead paint abatement, without results.
9. Provided info and photos for new website.
10. Provided information re a Silo Hill property for a potential buyer, referred owner of a property outside of the Emmitsburg boundary to Frederick Co. permitting..
11. Spoke with Civil War Heritage Area staff regarding potential WWI monuments project.
12. Reviewed information from State Highway regarding potential taking of land in Flat Run stream bed, due to inability to identify owner during survey for bridge project.

## **ITEM G**

### **ADMINISTRATIVE BUSINESS:**

- 1. Policy 16-02 Tobacco Use Policy*
- 2. Mayor and Town Manager recommend review of Ordinance 16-08 related to accessory uses in Institutional District.*



Policy Series: 2016  
Policy No. P16-02

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TOWN OF EMMITSBURG  
TOBACCO USE POLICY

\*\*\*\*\*

The Town of Emmitsburg will adopt the following policy tobacco use policy:

The Town of Emmitsburg prohibits the use of tobacco products and related electronic substitutes, including e-cigarettes at any time in all Town of Emmitsburg owned buildings, vehicles and equipment. This included all common areas, private offices, restrooms, meeting rooms and lobbies. This policy applies to employees, visitors, contractors and all other persons who enter a Town owned building or operate a Town owned vehicle and/or equipment.

If an employee is found in violation of this policy, he/she will be subject to disciplinary action in accordance with the employee handbook.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this policy shall take effect on \_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS

\_\_\_\_\_  
Cathy Willets, Town Clerk

\_\_\_\_\_  
Tim O'Donnell  
President

\_\_\_\_ APPROVED    \_\_\_\_ VETOED

this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Donald N. Briggs, Mayor

ORDINANCE SERIES: 2015  
ORD. NO. 16-08

PAGE 1 OF 1

AN ORDINANCE TO AMEND  
TITLE 17  
OF THE CODE OF EMMITSBURG  
ENTITLED  
ZONING

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 17; Section 17.28.050 of the Emmitsburg Municipal Code, be amended as follows:

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

17.28.050 - Accessory uses.

In the Institutional district, accessory uses are as follows:

A. General Signs. See Chapter 15.16.

**B. SHEDS, PROVIDING THEY ARE NOT LOCATED IN THE FRONT YARD AND MEET THE SIDE YARD SETBACK OF FIFTEEN FEET (15') AND THE REAR YARD SETBACK OF TWENTY FIVE FEET (25') REQUIREMENTS OF THE PRINCIPAL USE.**

**C. OUTDOOR RECREATIONAL STRUCTURES, SUCH AS GAZEBOS, DUGOUTS AND PAVILIONS, PROVIDING THEY MEET THE SAME REQUIREMENTS NOTED IN PARAGRAPH B FOR SHEDS.**

**D. RECREATIONAL TRAILS FOR USE BY PEDESTRIANS AND NON MOTORIZED VEHICLES**

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by a vote of \_\_\_ for, \_\_\_ against, \_\_\_ absent, and \_\_\_ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Cathy Willets, Town Clerk

\_\_\_\_\_  
Timothy O'Donnell, President

## **ITEM H**

### **CONSENT AGENDA:**

*No items*

## **ITEM I**

### **REPORTS:**

*Treasurer's Report - see attached*

*Planning Commission Report – to be given at the meeting*

**TOWN OF EMMITSBURG**  
**CASH ACTIVITY as of February 29, 2016**

\$3,567,268	Cash Balance February 1, 2016
236,142	Deposits
<u>-209,933</u>	Withdrawals
\$3,593,477	Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$19,252	MD Dept of Bud & Mgmt	Jan 16 Health Insurance	01.27.16	35463
14,000	Gary Casteel	2nd pmt per contract - Doughboy	02.03.16	35480
8,389	UGI	Jan 16 Solor Expense	02.17.16	35546
7,611	UGI	Jan 16 Solor Expense	02.17.16	35546
7,050	S&W Construction	Snow Removal	02.10.16	35519
5,875	Republic Services	Feb 16 Refuse Contract	02.17.16	35526
5,669	Columbia Bank	Lincoln Ave Waterline Bond	01.27.16	35456
5,147	Capital Tristate	Light Poles & Fixtures	02.10.16	35504
4,196	Hach Co	Meter Parts	02.03.16	35487
3,100	Motor Tech Inc	Fairbanks Morse Pump	01.27.16	35464

*Ck dates 01/27/16 to 02/29/16*

## **AGENDA ITEMS**

### **ITEM 1**

*New website presentation – at the meeting*

## **AGENDA ITEMS**

### **ITEM 2**

*Pool contract – copies handed out to all Commissioners with the Agenda packet*

Jerry:

I reviewed the contract again, and find that my comments have been addressed for the most part. As we have seen with last year's pool company, when there is a breach of one of the terms, with a service contract such as this, it is difficult to address the breach without depriving the local residents of the use of the pool. I think this does, however, identify the respective duties and obligations of each of the parties.

John

**John R. Clapp**  
**Clapp & Carper, LLC**  
**5235 Westview Drive**  
**Suite 100**  
**Frederick, Maryland 21703**  
**(301) 694-9700**  
[johnrclapp@verizon.net](mailto:johnrclapp@verizon.net)

## **Summary of RSV Pools Contract for the 2016 season**

- Pool hours are 12 to 7 daily. Staff will include a Manager, Assistant Manager and five guards. Pool will have four to five guards on duty during pool hours.
- One guard will arrive 30 minutes early and one will stay 30 minutes after closing to prep for and clean up after daily operations. This includes opening the park restrooms and policing the pool parking lot for trash, etc.
- All guards will be fully certified in both lifesaving and first aid, CPR, etc.
- Will provide staff for the extra hours of the three pool parties and will also provide extra staff for Community Day if requested by the Town.
- RSV Pools will provide all chemicals and secure necessary permits for pool operation.
- RSV pools will provide all opening and closing services in order to be ready for the season and to winterize once the season is over. They will notify the Town and cooperate with opening and closing work inspections by Town staff.
- Total cost of the contract will be \$47,028.00 payable in six installments from April to September. The contract amount last year was \$45,865. As a comparison, this represents a cost increase of approximately 2.5% for operation this season.



## **AGENDA ITEMS**

### **ITEM 3**

*Potential Citizen's Advisory Committee recommendation related to  
nuisance ordinance – tabled at the request of Commissioner Ritz III*

#### **IV) SET AGENDA ITEMS FOR April 4, 2016 TOWN MEETING**

1.

2.

3.

4.

5.

6.

**V) SIGN APPROVED TEXT AMENDMENTS AND/OR  
RESOLUTIONS**